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Administration  
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Water Pollution Control  
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Mining Regulations & Reclamation  
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State of Nevada  
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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**DIVISION OF ENVIRONMENTAL PROTECTION**

333 W. Nye Lane, Room 138  
Carson City, Nevada 89706

## **Notice of Proposed Action**

The Administrator of the Division of Environmental Protection gives notice that an application for an Individual Hydrocarbon Permit for the Fortitude/Reona (Phoenix) Project Bioremediation Facility has been properly filed with the Division of Environmental Protection in Carson City. The applicant for Individual Hydrocarbon Permit IHP-016 is:

Newmont Mining Company  
Fortitude/Reona (Phoenix) Project Bioremediation Facility  
P.O. Box 388  
Valmy, Nevada 89438-0388

The facility, known as the Fortitude/Reona (Phoenix) Project Bioremediation Facility, is located in Section 33, Township 31 North, Range 43 East, Mount Diablo Baseline and Meridian, approximately 10 miles south of the town of Battle Mountain, Lander County, Nevada.

The project consists of a bioremediation facility used for remediation of hydrocarbon-contaminated Permitted Material. The Individual Hydrocarbon Permit will authorize the use of Permitted Material as stemming material in blasting operations. Facilities are required to be designed, constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event.

The Administrator is constrained to issue the Individual Hydrocarbon Permit or to deny the application. The Administrator has made the tentative decision to issue the permit.

Persons wishing to comment upon the proposed Individual Hydrocarbon Permit, to recommend terms and conditions for consideration of incorporation into the permit, or who request a public hearing pursuant to the Nevada Administrative Code, NAC Chapter 445A, must submit their written comments, objections, or requests no later than

5:00 PM on the 30th day following the date of publication of this notice (23 January 2004) to:

Division of Environmental Protection  
Bureau of Mining Regulation and Reclamation  
Capitol Complex  
333 West Nye Lane, Room 138  
Carson City, Nevada 89706-0851

All comments or objections received during the public notice period will be considered in the final determination regarding this Individual Hydrocarbon Permit. If the Division determines written comments or requests indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 445A.405.

The draft Individual Hydrocarbon Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS 445A.665. For more information, contact Miles Shaw at (775) 687-9409, toll free in Nevada (800) 992-0900, extension 4670, or visit our website at <http://ndep.nv.gov.bmrr/bmrr01.html>